



UNITED STATES PATENT AND TRADEMARK OFFICE

#1

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/733,692	12/08/2000	Brian R. Murphy	15280-404100US

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 3239

FORMALITIES LETTER



"OC000000005935326"

Date Mailed: 04/04/2001

SCANNED, #

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as

06/11/2001 09:00:056 201430 15280-404100US

required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

Frank
[Signature]
A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

SCANNED, #

Please type a plus sign (+) inside this box →

2016-01 0400 #3
PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/733,692
Filing Date	December 8, 2000
First Named Inventor	Murphy, Brian, et. al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Total Number of Pages in This Submission	25
Attorney Docket Number	15280404100

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below)
	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

Applicants hereby submit twenty-four (24) sheets of formal drawings to be made of record in the above-identified case.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Jeffrey J. King	Reg No.: 38,515
Signature		
Date	02/27/01	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this date:

February 27, 2001

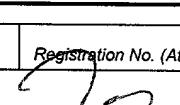
Typed or printed name	Linda M. Povinelli	Signature		Date	2/27/01
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
SE 5007068 v1

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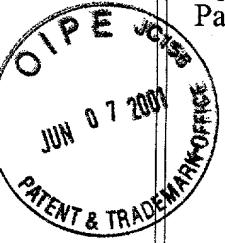
 <h1 style="text-align: center;">FEE TRANSMITTAL for FY 2001</h1> <p style="text-align: center;">Patent fees are subject to annual revision.</p>		Complete If Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/733,692</td> </tr> <tr> <td>Filing Date</td> <td>December 8, 2000</td> </tr> <tr> <td>First Named Inventor</td> <td>Brian Murphy, et al.</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Group Art Unit</td> <td>1632</td> </tr> <tr> <td>Attorney Docket No.</td> <td>15280404100</td> </tr> </table>		Application Number	09/733,692	Filing Date	December 8, 2000	First Named Inventor	Brian Murphy, et al.	Examiner Name	Unassigned	Group Art Unit	1632	Attorney Docket No.	15280404100																																																																																																																																																																													
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**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Jeffrey J. King	Registration No. (Attorney/Agent)	38,515
Signature			Telephone
			206-467-9600
Date			June 4, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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John M. Webster et al.
Application No.: 09/450,807
Page 1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian R. Murphy et al.

Application No.: 09/733,692

Filed: December 8, 2000

For: USE OF RECOMBINANT
PARAINFLUENZA VIRUSES (PIV's)
AS VECTORS TO PROTECT AGAINST
INJECTION AND DISEASE CAUSED
BY PIV AND OTHER HUMAN
PATHOGENS

Examiner: Unassigned

Art Unit: 1632

**SUBMISSION OF FORMAL
DRAWINGS**

Official Draftsperson
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants note that the Examiner rejected the Drawings on the alleged basis that they do not comport with the requirements pertaining to margin size. Applicants have reviewed the Formal Drawings as originally presented to the Office on March 2, 2001, and respectfully submit that all of the Figures, measured in their proper top-bottom, left-right orientation, fully comport with the requirements pertaining to margin size. Reconsideration or clarification of the rejection is therefore earnestly solicited.

Respectfully submitted,

Jeffrey J. King
Reg. No. 38,515

Dated: June 4, 2001

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 206-467-9600
Fax: 415-576-0300
JKK::ww

O I P E JC156
JUN 07 2001
PATENT & TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Asst. Commissioner of Patents and Trademarks, Washington, D.C. on June 4, 2001.

By: Wendy Wallin

#5

PATENT

Attorney Docket No. 15280-404100US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BRIAN R. MURPHY et al.

Application No.: 09/733,692

Filed: December 8, 2000

For: USE OF RECOMBINANT
PARAINFLUENZA VIRUSES
(PIVs) AS VECTORS TO
PROTECT AGAINST INFECTION
AND DISEASE CAUSED BY PIV
AND OTHER HUMAN
PATHOGENS

Examiner: Not Assigned

Art Unit: 1632

**RESPONSE TO NOTICE TO
COMPLY WITH SEQUENCE
DISCLOSURE**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application," dated April 4, 2001, enclosed please find a substitute Sequence Listing for the above-identified specification. Also enclosed is a corrected computer disk reflecting these changes. Pursuant to 37 CFR §1.821(f) and (g), it is believed that the content of the corrected paper sequence listing and the corrected computer readable sequence listing are the same. Further, the present submission of the substitute pages and computer disk are not believed to constitute new matter. Please charge (or credit) any fees associated with this response to the firm's Deposit Account No. 20-1430. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

Dated: June 4, 2001

By:

Jeffrey J. King
Reg. No. 38,515

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (206) 467-9600
Fax: (415) 576-0300
SE 5008613 v1